

FILED

Date _____

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Clerk _____

Comm. Amdt. _____

Amendment No. 1 to SB3126

**Crowe
Signature of Sponsor**

AMEND Senate Bill No. 3126*

House Bill No. 3297

by adding the following language as a preamble immediately after the caption and before the enacting clause:

WHEREAS, There are over six thousand (6,000) Tennesseans waiting for services through the division of mental retardation services;

WHEREAS, The division of mental retardation services is currently only enrolling up to fifty (50) people into service per month from the division's waiting list;

WHEREAS, The division of mental retardation services is currently adding up to ninety-five (95) people per month to its waiting list;

WHEREAS, The division of mental retardation services waiting list is growing beyond the rate of people being provided services and many Tennesseans with mental retardation are vulnerable and at risk of serious health and safety issues; now, therefore,

AND FURTHER AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 33, Chapter 5, Part 1, is amended by adding the following as a new section:

Section 33-5-109.

(a) The division of mental retardation services shall make available home and community-based supports for individuals with mental retardation who:

(1) Have made application for supports;

(2) Have been determined by the division of mental retardation services to be eligible for support; and

(3) Have been included on a waiting list maintained by the division of mental retardation services or have been identified as needing supports immediately.

(b) On and after July 1, 2008, in addition to any other requirements of this title, services and supports shall adhere to the following principles:

(1) Services and supports shall be flexible and meet the needs of each person with mental retardation and the person's family;

(2) Services and supports shall be person-centered, with the option for self-direction, respecting each person's needs and preferences; and

(3) Services and supports shall be respectful of the decisions and integrity of each person and the person's family.

SECTION 2. Tennessee Code Annotated, Title 33, Chapter 5, Part 1, is amended by adding the following as a new section:

Section 33-5-110.

(a) The division of mental retardation services shall expand a comprehensive service delivery system. Services shall be provided based on a person centered planning process emphasizing individual and family control and choice.

(b) Such services shall be funded by means of federal medicaid waivers for persons with mental retardation provided by the division of mental retardation services.

(c) Beginning July 1, 2008, the Self Determination Waiver shall be modified to develop capacity and serve at a minimum seven hundred and twenty

(720) new service recipients, or three hundred-sixty (360) service recipients more than currently planned enrollment on or before June 30, 2009.

(d) Beginning July 1, 2008, the comprehensive services waiver shall develop capacity and serve at a minimum four hundred-eighty (480) additional service recipients, or two hundred forty (240) service recipients more than currently planned enrollment, on or before June 30, 2009.

SECTION 3. This act shall take effect July 1, 2008, the public welfare requiring it.